

1 MORGAN, LEWIS & BOCKIUS LLP
2 JAMI WINTZ MCKEON (SBN 237923)
3 jmkeon@morganlewis.com
4 ELIZABETH A. FROHLICH (SBN 195454)
5 efrohlich@morganlewis.com
One Market, Spear Street Tower
San Francisco, CA 94105-1126
Tel: 415.442.1000
Fax: 415.442.1001

6 MORGAN, LEWIS & BOCKIUS LLP
7 CHRISTIAN J. MIXTER
cmixter@morganlewis.com
1111 Pennsylvania Avenue, NW
8 Washington, DC 20004-2541
Tel: 202.739.3000
9 Fax: 202.739.3001

10 Attorneys for Defendant
Deutsche Bank Securities Inc.

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 LOUISIANA PACIFIC CORPORATION,

15 Case No. C 09 03529 JSW

16 Plaintiff,

17 **STIPULATION AND [PROPOSED]**
ORDER REGARDING MEDIATION

vs.

18 MONEY MARKET 1 INSTITUTIONAL
19 INVESTMENT DEALER, MERRILL
LYNCH & CO., INC., MERRILL
20 LYNCH, PIERCE, FENNER & SMITH
INCORPORATED, AND DEUTSCHE
BANK SECURITIES INC.,

Defendants.

Plaintiff Louisiana Pacific Corporation (“LP”) and Defendant Deutsche Bank Securities Inc. (“DBSI”), acting through their respective counsel, enter into the below stipulation:

WHEREAS, the Court, on January 5, 2012, ordered the parties to submit a stipulation and proposed order selecting either private mediation or court mediation;

STIPULATION AND [PROPOSED] ORDER REGARDING MEDIATION; CASE NO. C 09-03529-JSW

WHEREAS, LP and DBSI met and conferred regarding mediation and agreed upon private mediation;¹

WHEREAS, the Court, on January 5, 2012, ordered the parties to complete the first round of mediation by April 4, 2012;

IT IS THEREFORE STIPULATED AND AGREED, by and between LP and DBSI, acting through their respective counsel, subject to this Court's approval, that LP and DBSI shall participate in private mediation, the first round of which shall be completed by April 4, 2012.

Dated: January 19, 2012

/s/ Andrew C. Shen

Attorney for Plaintiff
Louisiana Pacific Corporation

Dated: January 19, 2012

/s/ Christian J. Mixter

Attorney for Defendant
Deutsche Bank Securities Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 30, 2012.

Jeffrey S. White
Hon. Jeffrey S. White
United States District Judge

¹ Defendant Money Market 1 Institutional Investment Dealer (“MM1”) has declined to meet and confer with LP and DBSI regarding mediation and to join this stipulation. MM1 maintains that this matter remains stayed as against MM1, including all discovery and other proceedings, pursuant to the Private Securities Litigation Reform Act until resolution of its motion to dismiss, which is pending before Judge Preska in the Southern District of New York in case numbers 1:09-MD-02030-LAP and 1:09-CV-09887-LAP.